



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

P.O. BOX 25201, RALEIGH, NC 27611-5201

CERTIFICATION OF RULEMAKING

Certifying Agency: Department of Transportation					
Action:	<input checked="" type="checkbox"/>	Adoption	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Repeal
Statutory Authority: f), 20-141.1, 20-161 (d, 20-141 (j2), 136-18 (5), 20-141, e, 20-141.					
Public Hearing Not Required For This Action Under: GS 150A-1, 20-1.					
Rule Summary: Municipal Speed Zones, Rural Speed Zones, Work Zone Speed Limits, Work Zone Speed Penalty, No Parking/Tow-Away Zone, Speed Limit in School Zones, School Speed Zone - Rural, Work Zone Variable Speed Limit.					
Circumstances Requiring Rule Adoption, Repeal: Necessary for public safety and welfare.					
Effective Date: December 25, 2009					

December 17, 2009
DATE


OFFICER SIGNATURE

James. K. Lacy, P.E.
TYPED NAME

State Traffic Engineer
TITLE

Work Zone Speed Penalty

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141 (j2).

COUNTY DURHAM DIVISION 5

DECLARE THE FOLLOWING

County	Ordinance Number	Route	Description
DURHAM	1060598	I 40 WB COUPLET	Between the first sign that informs motorists of a work zone speeding penalty and the last sign that informs motorists of the end of the work zone speeding penalty - changeable message signs, portable signs, and/or stationary signs will be used to inform motorists of the work zone speeding penalty limits (R-2000 AF).

COUNTY BUNCOMBE DIVISION 13

DECLARE THE FOLLOWING

County	Ordinance Number	Route	Description
BUNCOMBE	1060728	I 40	Declare a \$250 speeding penalty between the first sign that informs motorists of the work zone and the last sign that informs motorists of the end of the work zone, from a point 0.70 mile west of SR 2740 (Exit 59) eastward to the McDowell County Line. (Changeable message signs, portable signs, and/or stationary signs will be used to inform motorists of the work zone limits on Project I-5131).

COUNTY POLK

DIVISION 14

DECLARE THE FOLLOWING

County	Ordinance Number	Route	Description
POLK	1060744	I 26	Declare a \$250 speeding penalty between the first sign that informs motorists of the work zone and the last sign that informs motorists of the end of the work zone, from a point 0.72 mile east of SR 1142 (Exit 59) eastward to the South Carolina state line. (Changeable message signs, portable signs, and/or stationary signs will be used to inform motorists of the work zone limits on Project I-5100).

No Parking/Tow-Away Zone

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 136-18 (5), 20-161 (d, e, f).

COUNTY DAVIE

DIVISION 9

RESCIND THE FOLLOWING

County	Ordinance Number	Route	Description
DAVIE	1056786	I 40	I 40 eastbound and westbound from a point 1.2 mile west of the overpass at SR 1436, eastward to a point 1.0 mile east of the centerline of NC 801structure over I-40; any vehicle parked, left standing or disabled, whether attended or unattended on the ROW of I 40 within the limits described above shall be subject to being towed without notice as determined by NCDOT. Void upon completion of Project B-3637 and I-3600.

Municipal Speed Zones

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

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Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141.

COUNTY MECKLENBURG

DIVISION 10

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
MECKLENBURG PINEVILLE	1060644	NC 51	45	45	NC 51 from the South Carolina State Line to a point 1.03 miles east of the South Carolina State Line.

Rural Speed Zones

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141.

COUNTY PENDER DIVISION 3

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
PENDER	1060708	NC 210	45	45	From a point 0.41 mile east of SR 1560 (Watts Landing Road) eastward for 0.24 mile.
PENDER	1060713	NC 210	45	45	From a point 0.73 north of SR 1560 (Watts Landing Road) northward for 0.03 mile

COUNTY DAVIDSON DIVISION 9

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
DAVIDSON	1060616	SR 2477	35	35	From SR 2286 (Wafford Circle) eastward for 0.60 mile.
DAVIDSON	1060617	SR 2478	35	35	From SR 2477 (Beech Drive) northward for 0.25 mile.

COUNTY DAVIE

DIVISION 9

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
DAVIE	1060540	SR 1707	35	35	Subdivisionwide - From SR 1710 (Sonora Drive) eastward to SR 1621 (Beauchamp Road).
DAVIE	1060542	SR 1708	35	35	Subdivisionwide - From a point approximately 0.28 mile south of SR 1707 (LaQuinta Drive) northward to SR 1707.
DAVIE	1060545	SR 1709	35	35	Subdivisionwide - From SR 1710 (Sonora Drive) eastward to SR 1708 (Casa Bella Drive).
DAVIE	1060546	SR 1711	35	35	Subdivisionwide - From a point approximately 0.46 mile west of SR 1710 (Sonora Drive) eastward to SR 1710.
DAVIE	1060547	SR 1710	35	35	Subdivisionwide - From SR 1711 (Granada Drive) northward to SR 1707 (La Quinta Drive).

COUNTY ROWAN

DIVISION 9

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
ROWAN	1060660	SR 2460	30	30	Subdivisionwide -- From SR 2388 (Bradford Drive) northward to SR 2404 (Cantiberry Drive).
ROWAN	1060662	SR 2404	30	30	Subdivisionwide -- From SR 2387 (Oaklawn Avenue) northward to a point approximately 0.11 mile east of SR 2388 (Bradford Drive).
ROWAN	1060663	SR 2388	30	30	Subdivisionwide -- From SR 2381 (Brown Acres Road) northward to SR 2404 (Cantiberry Drive).
ROWAN	1060664	SR 2389	30	30	Subdivisionwide -- From SR 2386 (Cantiberry Drive) eastward to SR 2388

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
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(Bradford Drive).

ROWAN	1060665	SR 2387	30	30	Subdivisionwide -- From SR 2386 (Cantiberry Drive) eastward to SR 2388 (Bradford Drive).
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ROWAN	1060666	SR 2386	30	30	Subdivisionwide -- From SR 2381 (Brown Acres Road) northward to a point approximately 0.07 mile north of SR 2389 (Greenleaf Drive).
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COUNTY CALDWELL DIVISION 11

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
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CALDWELL	1060742	SR 1782	35	35	From US 321 to 0.5 mile west of US 321.
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COUNTY SURRY DIVISION 11

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
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SURRY	1060657	SR 1910	25	25	Subdivision-wide from SR 1747 to its dead end.
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SURRY	1060658	SR 1747	25	25	Subdivision-wide from SR 1748 to its dead-end.
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RESCIND THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
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SURRY	1041755	SR 1747	35	35	From NC 103 to SR 1910.
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COUNTY WATAUGA

DIVISION 11

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
WATAUGA	1060659	SR 1523	35	35	From its northern intersection with SR 1514 to SR 1522.

COUNTY CATAWBA

DIVISION 12

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
CATAWBA	1060164	SR 2679	25	25	Subdivisionwide - (Zebulon Drive) from SR 1731 (Keisler Dairy Road) to end of state maintenance, a point 0.34 mile southeast of SR 1731 (Keisler Dairy Road).

COUNTY CLEVELAND

DIVISION 12

RESCIND THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
CLEVELAND	1009307	SR 1319	45	45	From the corporate limits of Lattimore, a point 0.25 miles east of SR 1161, to SR 1320.

COUNTY IREDELL

DIVISION 12

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
IREDELL	1060615	SR 1651	25	25	Subdivisionwide - (Kingsdale Drive), from NC 115 around the loop of SR 1651 (Kingsdale Drive) and back to SR 1651 (Kingsdale Drive), for a total distance

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
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of 0.30 mile.

COUNTY BUNCOMBE

DIVISION 13

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
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BUNCOMBE	1060702	SR 1115	35	35	SR 1115 (South Morgan Branch Road) from a point 1.56 miles west of NC 151 eastward to NC 151, west of Asheville.
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RESCIND THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
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BUNCOMBE	1004308	SR 1115	45	45	(South Morgan Branch Road), from a point 1.56 miles west of NC 151 eastward to NC 151, west of Asheville.
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COUNTY BURKE

DIVISION 13

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
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BURKE	1060753	SR 1114	25	25	From a point 0.44 miles southwest of SR 1113 northeastward to SR 1113.
BURKE	1060754	SR 1960	35	35	(Charlie Crawley Road), from SR 1956 northward to SR 1961.

Work Zone Speed Limits

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

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Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141.

COUNTY DURHAM

DIVISION 5

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
DURHAM	1060597	I 40 WB COUPLET	45	45	*45 MPH or 65 MPH* in an increment of 20 MPH, based on conditions in the field, from 0.19 mile west of SR 1973 (Page Road), eastward to 0.53 mile east of SR 1973 (Page Road), to be in effect only when workers are present and/or lane closures are implemented and signs are posted (R-2000 AF).

Speed Limit in School Zones

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141.1.

COUNTY WAKE

DIVISION 5

RESCIND THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
WAKE	1054054	SR 1839	35	35	From a point 0.25 mile west of SR 3491, eastward to a point 0.40 mile east of SR 3491. (In effect for 30 minutes before and after school begins and ends on school days only for St. Francis of Assisi Catholic Church School).

School Speed Zone - Rural

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141.1.

COUNTY WAKE

DIVISION 5

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
WAKE	1060673	SR 1839	35	35	From a point 0.02 mile east of SR 4213, eastward to SR 3298. (In effect for 30 minutes before and after school begins and ends on school days only for St. Francis of Assis Catholic Church School).
WAKE	1060675	SR 1839	35	35	From SR 3298, eastward to SR 1829. (In effect for 30 minutes before and after school begins and ends on school days only for Sycamore Creek Elementary School).
WAKE	1060676	SR 1829	35	35	From a point 0.02 mile north of SR 3299, northward to SR 1839. (In effect for 30 minutes before and after school begins and ends on school days only for Sycamore Creek Elementary School).

Work Zone Variable Speed Limit

The Board of Transportation has delegated to the Secretary of Transportation the authority to adopt and promulgate all rules and regulations and ordinances regulating traffic on the highways pursuant to authority of N.C.G.S 143B-350 (g) (see 19ANCAC 4A.0004).

The State Traffic Engineer is subdelegated the authority by the Secretary of Transportation to adopt and promulgate all necessary rules, regulations and ordinances for the use of and to police traffic on state highways, and to set, change, or extend route numbers on the Primary Highway System of North Carolina pursuant to authority of N.C.G.S 143B-350(g) (see 19ANCAC 4A.0004).

Pursuant to that delegation, the State Traffic Engineer hereby adopts and promulgates the following ordinances based on traffic and engineering studies performed by the Traffic Engineering Branch, Department of Transportation, and in accordance with General Statute 20-141, 136-18 (5).

COUNTY BUNCOMBE

DIVISION 13

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
BUNCOMBE	1060725	I 40	55	55	*55 MPH or 65 MPH* in an increment of 10 MPH, based on conditions in the field, from a point 0.70 mile west of SR 2740 (Exit 59) eastward to the McDowell County Line, to be in effect only when lane closures are implemented and signs are posted in conjunction with Project I-5131.

COUNTY POLK

DIVISION 14

DECLARE THE FOLLOWING

County / Municipality	Ordinance Number	Route	Car Spd Lmt	Trk Spd Lmt	Description
POLK	1060743	I 26	55	55	*55 mph or 65 mph* in an increment of 10 mph, based on conditions in the field, from a point 0.72 mile east of SR 1142 (Exit 59) eastward to the South Carolina state line, to be in effect only when lane closures are implemented and signs are posted in conjunction with Project I-5100.

The foregoing Highway Traffic Ordinances are hereby adopted in accordance with the General Statutes of North Carolina (f), 20-141.1, 20-161 (d, 20-141 (j2), 136-18 (5), 20-141, e, 20-141).

All the actions to the Highway Traffic Ordinances herein adopted are effective December 25, 2009 and are identified as follows:

ORDINANCE TYPE	ADOPT	REPEAL
Municipal Speed Zones	1	0
Rural Speed Zones	24	3
Work Zone Speed Limits	1	0
Work Zone Speed Penalty	3	0
No Parking/Tow-Away Zone	0	1
Speed Limit in School Zones	0	1
School Speed Zone - Rural	3	0
Work Zone Variable Speed Limit	2	0
Total	34	5

The Division Engineer for each affected Division shall cause to be erected appropriate signs indicating the action of the State Traffic Engineer and these ordinances shall be in full force and effect from and after the erection of such signs.

December 17, 2009

DATE


OFFICER SIGNATURE

James, K. Lacy, P.E.

TYPED NAME

State Traffic Engineer

TITLE

**Certification of Municipal Declaration
To Enact Speed Limits and Request for Concurrence**

Concurring State Ordinance Number: 1060644

Division: 10 County: MECKLENBURG Municipality: PINEVILLE

Type: Municipal Speed Zones

Road: NC 51 Car: 45 MPH Truck: 45 MPH

Description: NC 51 from the South Carolina State Line to a point 1.03 miles east of the South Carolina State Line.

Municipal Certification

I, Barbara Monticello, Clerk of Town of Pineville, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the 8th day of December, 2009, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: July 14, 2009 Page: — Ordinance/Resolution Number: Resolution No. 2009-20

In witness whereof, I have hereunto set my

hand and the municipal seal this 8th day (municipal seal)
of December, 2009.

Barbara Monticello
(signature)

Department of Transportation Approval

Division: J. Sub Ctl Title: Division Traffic Eng. Date: 11/19/09

Region: Pate Barr Title: Regional Traffic Eng. Date: 11/19/09